

## Proposed Oil Spill Contingency Plan Rule Making (WAC 173-182)

### Q: Why is this rule being updated?

**A:** Ecology is beginning a rulemaking for Chapter 173-182 WAC Oil Spill Contingency Plan Rule. The rule requirements were last updated for pipelines in 2006. At that time the pipeline planning standards were developed to align with the marine terminal standards. In Washington pipelines exist in both marine and inland areas. After several years of implementing the rule, Ecology identified the need to update standards to ensure that required oil spill response equipment is appropriate for the pipeline risks and operating environments (marine and inland). Ecology is also better embracing available technology and geo-referenced data in planning requirements.

### Q: What is the scope of this rulemaking?

**A:** The rulemaking is updating contingency planning requirements for existing pipelines transporting oil in the state. This rulemaking will:

- Update definitions to ensure clarity and consistency with existing federal regulations.
- Clarify the Worst Case Discharge calculation for pipelines.
- Create a new pipeline geographic information planning standard which will use available geo-referenced data to support preparedness planning and initial decision making during pipeline oil spills.
- Enhance existing air monitoring requirements for pipelines to ensure safety of oil spill responders and the general public.
- Update pipeline planning standard storage requirements to ensure the equipment required is appropriate for the environments pipelines may impact.
- Expand the Best Achievable Protection (BAP) Review Cycle to facilities and pipelines.
- Other changes to clarify language and make any corrections needed.

### MORE INFORMATION

#### Rule Information

An overview of the rule including key documents, a timeline and public involvement opportunities can be viewed at

<http://www.ecy.wa.gov/programs/spills/rules/1106ov.html>

#### Mail Comments to

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#### Special accommodations

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Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

# Frequently Asked Questions

## **Q: What is the timeline for development of this rule?**

**A:** Ecology began the rulemaking process by formal announcement September 2015. The agency is currently conducting public workshops and soliciting comments on the preliminary draft rule language. Ecology plans to issue a formal rule proposal in May 2016, and adopt the rule at the end of October 2016.

## **Q: Who will be regulated by this rule?**

**A:** The rule applies to liquid petroleum pipelines in Washington State. You can view the pipeline locations at

[https://fortress.wa.gov/ecy/coastalatlas/storymaps/spills/spills\\_sm.html?CustomMap=y&BBBox=-14425754,5412168,-12468966,6545882&Tab=nt5&Opacity=1&Basemap=esriLightGray](https://fortress.wa.gov/ecy/coastalatlas/storymaps/spills/spills_sm.html?CustomMap=y&BBBox=-14425754,5412168,-12468966,6545882&Tab=nt5&Opacity=1&Basemap=esriLightGray)

## **Q: How do contingency plans prepare pipelines for oil spills?**

**A:** Contingency plans for pipelines describe planning requirements such as; notification to the state when spills occur, standards for pre-staged equipment, training for spill-management teams and the formation of a unified command to provide for a rapid, aggressive and well-coordinated response should spills occur.

## **Q: I thought pipelines were regulated at the federal level. Why does the state have the authority to require railroads to submit plans?**

**A:** Since the early 1990's, Washington has maintained regulations that work in harmony and without conflict with the federal contingency planning regulations. States may set more stringent standards than the federal government provided the meet a cost benefit analysis.

## **Q: What is a planning standard?**

**A:** The planning standards described in the rule are not clean-up standards that must be met by the contingency plan holder. In a spill or drill deployment of equipment and personnel is guided by safety considerations. The responsible party must take all actions necessary and appropriate to immediately address the entire volume of an actual spill regardless of the planning standards.

## **Q: I don't think this rule will do enough to protect my community from the risks of oil transportation. Why are your regulations not more stringent?**

**A:** This rule, two others, and several other measures are being implemented as part of the 2015 Oil Safety Transportation Act. These initiatives will help address the risks associated with oil transported by rail. More information is available on our website at [www.ecy.wa.gov](http://www.ecy.wa.gov).

